

## REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed March 9, 2005. Claims 3, 7 and 9 were indicated as allowable. Claims 1, 2, 4-6, 8 and 10 were rejected. The claims and specification have been amended to address the concerns raised by the Examiner.

Claims 3, 7, 9, 10-15 remain in the application. Claims 1-10 were originally presented in the application. Claims 1, 2, 4-6, and 8 have been canceled without prejudice. Claims 3, 7, 9 and 10 have been amended. New claims 11-15 have been added.

The indication of allowable subject matter in 3, 7 and 9 if rewritten in independent form, is acknowledged with appreciation.

Allowable claim 3 has been amended to include the limitations of independent claim 1. Therefore, independent claim 3 is allowable, as are dependent claims 10 and 13 which depend therefrom.

Allowable claim 7 has been amended to include the limitations of independent claim 1. Therefore, independent claim 7 is allowable, as are dependent claims 11 and 14 which depend therefrom.

Allowable claim 9 has been amended to include the limitations of independent claim 1. Therefore, independent claim 9 is allowable, as are dependent claims 12 and 15 which depend therefrom.

Claims 10 has been amended to correct dependency, without limiting the scope thereof, and not for reasons of patentability.

New dependent claims 11 and 12 have been added which include the subject matter of original claim 10 and are dependent on allowable independent claims 7 and 9, respectively. Therefore, new dependent claims 11 and 12 are allowable for at least their dependency on allowable independent claims.

New dependent claims 13, 14 and 15 have been added and are fully supported by the specification as originally filed. Specifically, as illustrated in FIG. 3 and discussed on page 4, lines 6-10, of the specification of the present invention, a glass cutting edge 112a or 212a can be attached to a side of the flashlight body 110 or 210, and a hammer piece 112b or 212b can be attached to another side of the flashlight body. Claims 13-15 are dependent on allowable

independent claims 3, 7 and 9, respectively. Therefore, new dependent claims 13-15 are allowable for at least their dependency on allowable independent claims.

The specification has been amended to correct translational and grammatical language mistakes. The amended specification is in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b). The substitute specification includes an amended abstract that complies with the proper language and format requirements for an abstract of the disclosure. The new specification does not contain any new matter.

#### **Claim Rejections - 35 U.S.C. § 102**

Claims 1, 6 and 8 (including independent claim 1) were rejected under 35 U.S.C. § 102(b) as being anticipated by Kang (U.S. Patent 5,413,223). Claims 1, 6, and 8 including independent claim 1 have been canceled without prejudice. As discussed above, allowable claims 3, 7, and 9 have been amended to include the limitations of independent claim 1.

None of the cited references disclose the limitations of claims 3, 7 and 9, namely a hook for portability, a lockable cap that can be broken to allow removal of the flashlight body, and a support section and cap made of conductive material that forms a circuit. Therefore, Applicant respectfully submits that independent claims 3, 7, and 9 are allowable, and urges the Examiner to withdraw the rejection.

#### **Claim Rejections - 35 U.S.C. § 103**

Claim 2 was rejected under 35 U.S.C. § 103 as being unpatentable over Kang in view of Yamabe (U.S. Patent 5,952,916). Claim 4 was rejected under 35 U.S.C. § 103 as being unpatentable over Kang in view of Jones (U.S. Patent 1,591,980). Claim 5 was rejected under 35 U.S.C. § 103 as being unpatentable over Kang in view of Chien (U.S. Patent 6,179,431). Claim 10 was rejected under 35 U.S.C. § 103 as being unpatentable over Kang in view of Cranford (U.S. Patent 5,629,679). Claims 2, 4, and 5 have been cancelled without prejudice.

Applicant submits that dependent claim 10 is allowable for at least dependence on an allowable base claim, as described above, and urges the Examiner to withdraw the rejection.

## CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 3, 7, and 9-15 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

3 dependent claims were amended to be independent claims (claims 3, 7 and 9). Five claims were added (claims 11-15), while 6 claims were canceled (claims 1, 2, 4-6 and 8), including independent claim 1. Three independent claims (claims 3, 7 and 9) and 6 dependent claims (claims 10-15) remain in the application. Therefore, no additional fee of is due.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 8<sup>th</sup> day of June, 2005.

Respectfully submitted,



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